

New Hampshire Special Education Program Approval Report

SAU 53

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Final Report

July 9, 2001

Visit Conducted on:

January 10-11, 2001

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Table of Contents

- I. Introduction
- II. Status of Corrective Actions from Previous Program Approval Report
- III. Issues of Significance
- IV. Citations to the New Hampshire Standards for the Education of
Students with Disabilities

(Commendations, Citations and Suggestions for each school)

Note: *It should be noted that suggestions are not considered corrective actions and therefore are given as technical assistance. The district is not mandated to implement them.*

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SAU 53

I. INTRODUCTION:

A New Hampshire Department of Education Special Education Program Approval visit was conducted at SAU 53 comprised of the following schools: Allenstown Elementary, Armand Dupont, Chichester Central, Deerfield Community, Epsom Central, Hill, Pembroke Academy, Three Rivers and Village. Substantially separate programs within several schools and the preschool were visited and observed. The visiting team met on January 10 and 11, 2001 in order to review the status of special education services being provided to eligible students.

Activities related to this evaluation included the close review of the application materials, the teaching certifications of special education staff, analysis of SPEDIS data and random inspection of student records. Interviews were held with the Superintendent, Director of Special Education, building principals, regular and special education teachers, and related service personnel as time and availability permitted. Team members observed children and programs. In addition, the team conducted parent interviews via telephone. Throughout the visit, the team had the full cooperation from school personnel and this helpfulness was greatly appreciated.

The report that you are about to read represents the consensus of all the members of the visiting team. Please keep in mind that this is a "report for exception", meaning that only exceptions to the NH State Standards have been addressed. If a component is not mentioned, that does not mean that the team did not review it; it just means that there were no citations of noncompliance to the Standards found in that particular area.

II. STATUS OF PREVIOUS ON-SITE: *Conducted on January 5 and 6, 1993*

It is apparent that issues brought up in the previous on-site have been addressed. There continue to be paperwork issues, which should be addressed when the district starts using the new forms, which are included in the application materials. Several team members mentioned the lack of organization and consistency in the files. The district should continue to monitor these inconsistencies to insure that FAPE is provided for all children.

While the district is to be commended for hiring a full time coordinator to monitor the out-of-district placements, the file review of these students found many components missing from the files. An attempt should be made to bring these files into compliance. It is evident by talking to staff that services are being provided; it just isn't evident in the files. It should be noted that the out-of-district coordinator also case manages all the Deerfield special needs high school age students, even if they go to high schools other than Pembroke Academy.

Overall, SAU 53 had made significant growth in program improvements, including many innovative programs, since the 1993 compliance visit. The attitude of staff is enthusiastic and the collaboration of all parties is strong. Each building conveys a warm and caring attitude for all children to learn, and includes strong programming for all children. Inclusionary practices are evident in each building and were mentioned as commendations in almost every building. The team would like to recognize and reinforce the philosophy, vision and goals that each school is working toward and commend them for their support of quality services to all children.

III. ISSUES OF SIGNIFICANCE:

It is clear that issues from the last on-site have been addressed. Numbers of students in non-compliance is very small and in one school (Epsom Central) NO students are out of compliance. Excellent programs are in place for

students who need substantially separate programs. The SKILLS program at Pembroke Academy, the TLC Preschool, LIFE, BRAVE and PRIDE programs provide appropriate services for special students. The BRAVE program has an excellent write-up of program goals, objectives and evaluation. However, the district needs to develop entrance, transition and exit criteria for students in the programs that don't currently have them. The LIFE program needs to be more clearly identified, so that people will know that it's a program for non-verbal learning disabled students, not a skills program for learning impaired students.

Calls made to parents were overwhelmingly supportive, during which parents made comments such as "my child made a complete turnaround" and "my child is part of a family where everyone works together."

An issue mentioned in several buildings was the need for more training and in-service opportunities for both professional and paraprofessional staff.

Finally, a "time out" room was observed in one of the buildings. While it is not an issue for this on-site team, it should be noted that the Department of Education "philosophically" does not support the use of such spaces. While they have not issued guidelines in regard to "quiet or time out" rooms, they indicate that whenever a child is removed from his or her regular classroom, it is a violation of FAPE.

It should be stated that throughout the on-site visit, the visiting team was impressed with the efforts of all staff to provide quality programming to all students. An atmosphere of caring, support, dedication and mutual respect for students and staff was evident to the visiting teams in each school. Paraprofessionals are used throughout the SAU and are viewed as a major support system to the special education staff. Overall, the on-site team would like to commend SAU 53 for quality services made available to all students.

IV. COMMENDATIONS, CITATIONS AND SUGGESTIONS: SAU-WIDE

COMMENDATIONS:

- A philosophy of inclusion, which is evident in every building.
- In each of the buildings there is administrative support and involvement in the special education process.
- Full day kindergarten and the fact that every child receives a weekly group session with the occupational therapist.
- Teaming- Special and general educators work together to teach. In one building, all special educators team teach reading with general educators, and have common planning time together.

CITATIONS: (in numerical order)

The citations are listed by each school or program, in the following text.

SUGGESTIONS:

There are no SAU-wide suggestions. See individual reports for building suggestions.

PROGRAM(S) VISITED: 1) Preschool Program

OF FILES REVIEWED: 1 File

COMMENDATIONS:

- Staff work hard to meet the needs of many preschool children throughout the community.
- The staff work well as a team.
- The program provides many natural opportunities to work on language, motor , cognitive and social skills.
- There are many materials, toys and equipment to provide a well rounded program.

CITATIONS: (in numerical order)

Ed. 1109.01(f) 1 file: statement not included on IEP.

Ed. 1109.01(k) 1 file: IEP lacked information of financial responsibility.

Ed. 1115.06 1 file: lacked evidence of discussion of LRE or that other options were considered.

CFR300.347(a)(4) 1 file: did not contain explanation of the extent to which the student will not participate with non-disable peers in reg. classes.

SUGGESTIONS:

- A written curriculum could be helpful in programming.
- Additional space could provide more opportunities for children to work on skills
- Staff would benefit from professional development opportunities to learn about recommended practices (i.e. IEP goals and objectives, etc.)

Allenstown Elementary School

PROGRAM(S) VISITED: 1) Resource Room

OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- Staff are child centered, communicate well and posses superb teaming skills.
- All personnel report that special needs students are fully included.
- The present level of performance section of the IEP form is very detailed and complete.
- The team has developed detailed behavior plans as needed.
- Team meeting minutes are clear and comprehensive.
- The practice of writing classroom modifications on large note cards for regular classroom teachers is helpful and very effective.

CITATIONS: (in numerical order)

Ed. 1107.02 1 file: lacked evidence that parents are given written notice of referral.

Ed 1107.05(k) 2 files: lacked evidence evaluations were completed within 45 days and no signed extension.

CFR300.534(a)(2) 3 files: lacked evidence that copy of evaluation report and documentation of determination of eligibility given to parent.

Ed. 1115.06 1 file: lacked evidence or documentation of discussion of LRE.

Ed. 1109.01(d) 3 files: IEP's do not consistently and clearly state extent of participation in regular class
CFR 300.347 with non-disabled peers.

CFR 300.347(a)(1)(i) 3 files: IEP's do not indicate how disability affects involvement and progress in the general curriculum.

CFR 300.347(a)(5)ii A 1 file: no documentation of why child will not participate in state or district wide assessment.

CFR 300.346(a)(1)ii 1 file: lacked evidence of consideration of most recent evaluation results.

Ed. 1111.01 1 file: lacked evidence that ESY was considered.

SUGGESTIONS:

- While there was evidence that attainment of IEP objectives is measured & reported to parents, procedures are inconsistently followed. Continue with current efforts to create a system-wide process of documentation of data.
- Create a consistent practice to ensure procedural safeguards are given to parents with notification of meeting.
- Professional development training for paraprofessionals and regular education would be beneficial.

Armand Dupont School

PROGRAM(S) VISITED: 1) Resource Room 2) Modified Regular Education
3) Speech/Language Session

OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- Files are in excellent order with most paperwork completed.
- IEP modifications are being implemented in the classroom and curriculum.
- There is a great degree of cooperation and support for students between regular and special education staff.

CITATIONS: (in numerical order)

Ed. 1109.04
CFR 300.345(b)(2)

Ed. 1109.01 CFR 300.347(a)(1)i	1 file: IEP did not include how the disability affects involvement & progress in the general curriculum.
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Ed. 1109.01(d) 2 files: IEP did not include expectation of regular class participation.

Ed. 1109.01(l) 1 file: IEP did not contain statement of transition services.

CFR 300.346(a)(1)ii 1 file: lacked evidence of consideration of most recent evaluation results.

CFR 300.346(a)(1)iii 3 files: lacked evidence of consideration of state or district wide testing results.

SUGGESTIONS:

- Include NHEIAP test results, when applicable, in developing IEP's.
- Consider district-wide training or a mentor program for those specialists working toward certification.

Chichester Central School

PROGRAM(S) VISITED: 1) Modified Regular

OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- Staff are highly committed to inclusion and work well together.
- The principal is exemplary in her commitment and support of staff in efforts towards inclusion.
- The principal and her staff have developed a superior curriculum guide based on the state frameworks.

CITATIONS: (in numerical order)

Ed. 1107.02(b) 2 files: lacked evidence that parents were given immediate written notice of referral.

Ed. 1107.02(d) 2 files: written notice of disposition of referral not dated.

Ed. 1107.05(k) 1 file: lacked evidence of signed extension for evaluation.

Ed. 1107.07(c) 1 file: lacked evidence of teacher certified in the area of suspected disability at determination meeting.

Ed. 1109.01
CFR 300.347(a)(1)i 1 file: IEP did not include how the disability affects involvement & progress in the general curriculum.

Ed. 1109.01(c) 1 file: IEP did not include the extent to which the child will participate in regular class.

Ed. 1109.01(d) 1 file: IEP did not include expectation of regular class participation.

Ed. 1109.01(g)
CFR 300.437(a)(6) 3 files: IEP did not include location of services and modifications.

Ed. 1115.06 3 files: lacked evidence that LRE is determined annually and meets the criteria.

CFR 300.346(a)(l)iii 3 files: lacked evidence of consideration of state or district wide testing results.

CFR 300.347(a)(4) 3 files: did not contain explanation of the extent to which the child will not participate with non-disabled children in regular classes.

CFR 300.347(a)(5)ii A 1 file: lacked evidence regarding student's participation in state or district wide assessment and why test is not appropriate.

SUGGESTIONS:

- Consider appointing LEA representative other than special education teacher for signing IEPs.
- Ensure availability of teacher certified in the area of suspected disability to evaluation team.
- Add date to referral form to document date of disposition of referral.

- Every attempt should be made to administer standardized, objective test versus “informal measures”.

Deerfield Community School

PROGRAM(S) VISITED: 1) Modified Reg. Program 2) Skills Center

OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- Successful use of inclusion in all areas.
- Paraprofessionals are effectively involved throughout the school.
- Community involvement is evident.
- There is district support for professional development, ample equipment and supplies.
- Administration is very supportive of innovative staff developed programs.

CITATIONS: (in numerical order)

Ed. 1123.04 1 file: record of disclosure not contained in file.

Ed. 1107.01(c) 1 file: lacked evidence of technically sound, non-discriminatory instruments used in evaluation.

Ed. 1107.03(c) 1 file: lacked evidence of a variety of assessment tools used for evaluation.

SUGGESTIONS:

- Improve organization of information received for students placed out-of-district.
- Consider developing a consistent measurable goals.

Epsom Central School

PROGRAM(S) VISITED: 1) Grade 3 2) Grade 5 3) Grade 7

OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- Team cooperation and collegiality are evident throughout the school.
- Staff demonstrate a strong commitment to providing a learning environment for all students.
- The schools approach to teaming results in highly effective planning and implementation of inclusionary programs.
- The district is commended for its commitment to a high staff to student ratio.
- The organizational system of special education paperwork assists in increased compliance with state and federal regulations.

CITATIONS: (in numerical order)

CFR 300.347(a)(4) 2 files: did not contain explanation of the extent to which the child will not participate with non-disabled peers.

Ed. 1111.01 3 files: lacked documentation that student provided opportunity to participate in regular education.

Ed. 1115.06 3 files: lacked documentation that LRE is determined annually and meets the criteria.

SUGGESTIONS:

- Consider including a statement regarding LRE during the IEP/placement process.
- Continue to expand in-service training, particularly in regard to specific disabilities, special education law, etc.
- Review processes and policies to assist in minimizing paraprofessional staff turnover.
- Consider providing staff with additional copies of high interest, low level reading ability books for Inclusionary classes and small groups.

(Pembroke) Hill School

PROGRAM(S) VISITED: 1) Modified Regular Program 2) Resource Room

OF FILES REVIEWED: 2 Files

COMMENDATIONS:

- Staff and administration are very committed to successful inclusion.
- Staff work well together and create a positive environment for each other and for students.
- There is a high level of support and respect among staff and from administration.

CITATIONS: (in numerical order)

Ed. 1109.04 2 files: lacked documentation of procedural safeguards given to parent at each notice
CFR 300.504(a)(2) of IEP meeting.

Ed. 1109.01(d) 1 file: IEP did not include expectation of regular class participation.

Ed. 1111.01 1 file: lacked documentation that student provided opportunity to participate in physical education.

Ed. 1115.06 2 files: lacked documentation that LRE is determined annually and meets the criteria.

Ed. 1123.14(c) 2 files: lacked documentation concerning purpose of disclosure.

Ed. 1123.05(2) 2 files: lacked documentation of notification of rights/procedural safeguards given to parents at each notification of IEP meeting.

CFR 300.347(a)(4) 2 files: did not contain explanation of the extent to which the child will not participate with non-disabled peers.

CFR 300.347(a)(7)ii 2 files: lacked evidence of how parents will be informed of child's annual goals.

SUGGESTIONS:

None

Village School

PROGRAM(S) VISITED: 1) Kindergarten

OF FILES REVIEWED: 1 File

COMMENDATIONS:

- This full-day program is very inclusive with all children in typical classrooms.
- Staff are dedicated, caring, and demonstrate an enjoyment in their work with the children.
- Every student receives weekly group OT.

CITATIONS: (in numerical order)

Ed. 1109.01(b) 1 file: annual goals are not written as measurable with benchmarks or objectives.

Ed. 1109.04 1 file: lacked evidence of procedural safeguards given to parents with each IEP notice.
CFR 300.504(a)(2)

Ed. 1109.11 1 file: IEP progress does not show the extent to which it is sufficient to achieve the
CFR 347(a)(7)i goals by the end of the year.

Ed. 1111.01 1 file: lacked documentation that student provided opportunity to participate in physical
education.

CFR 300.347(a)(4) 1 file: lacked explanation of the extent to which the child will not participate with
non-disabled peers.

SUGGESTIONS:

- In that there are many families with complex needs, it may be helpful to explore opportunities for the school to provide them some support.
- IEP goals and objectives should be written as specific, measurable and aligned with the general curriculum.

Three Rivers School

PROGRAM(S) VISITED: 1) Modified Regular Program 2) BRAVE Program 3) Life Skills

OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- Inclusionary program where all students are accepted and respected.
- Staff are professional, student centered and provide a positive learning environment.
- Students appear engaged and motivated.
- The special education department is very organized.

CITATIONS: (in numerical order)

Ed. 1109.04 1 file: lacked evidence of procedural safeguards given to parents with each IEP notice.
CFR 300.504(a)(2)

Ed. 1109.01(b) 1 file: annual goals are not written as measurable with benchmarks or objectives.

Ed. 1109.01(a) 1 file: IEP does not include present levels of performance.

Ed. 1109.11 1 file: IEP progress does not show the extent to which it is sufficient to achieve the
CFR 330.347(a)(7)ii goals by the end of the year.

CFR 300.347(a)(5) 1 file: lacked documentation regarding student's participation or modifications in
administration of district or statewide test.

Ed. 111.01 1 file: clarification needed regarding student's participation in physical education.
CFR 300.307(b), (c)

SUGGESTIONS:

- Consider including most recent information on top of other information in student records.
- Align IEP's with the NH curriculum frameworks.
- The BRAVE and LIFE program would benefit from an entrance, transition and exit criteria.
- The district may want to review the percentage of "multiple" codings.

Pembroke Academy

PROGRAM(S) VISITED: 1) Skills Program 2) Learning Center

OF FILES REVIEWED: 4 Files

COMMENDATIONS:

- The service delivery of the Skills Program includes life skills. Independence is fostered through participation in regular class at levels that meet student's individual needs.
- Staff maintain high quality transition programs and services.
- Collaboration among special and regular education teachers is evident.
- The Pembroke/Allentown District Partnership will provide a comprehensive multigenerational literacy program for the community.
- Administration is supportive of professional development opportunities for staff.

CITATIONS: (in numerical order)

Ed. 1107.03 1 file: lacked documentation regarding waiving re-evaluation testing components.

Ed. 1109.04 Meeting notice needs to be updated to include CFR 300.504(a)(2) and CFR 300.345(b)(2)&(3)

Ed. 1109.01 Update IEP with attention given to other federal requirements – CFR 300.347(a), CFR 300.347(b)&(c), and CFR 300.346

Ed. 1113.01(c) 1 file: lacked written observation report.

Ed. 1125.04(3-4) 1 file: lacked written consent for placement, no parent response page.

SUGGESTIONS:

- Review evaluation summary form for EH coded students for compliance with federal regulations.
- Staff would benefit from training regarding IDEA requirements and district/SAU procedures.
- Investigate ways to facilitate transition from 8th to 9th grade (i.e. IEP development).
- Update notice form to include additional purposes for meetings.
- Update IEP form to address IDEA requirements
- Continue to investigate service delivery options for LD students.
- The life skills program would benefit from a permanent location and additional furniture and equipment.
- Staff and students would benefit from computers, software and resource materials.

Out-of-District Files

OF FILES REVIEWED: 3 Files

COMMENDATIONS:

- The district is commended for the fulltime case manager for all out-of-district placements and Deerfield High School special education students.

CITATIONS: (in numerical order)

<u>Ed. 1107.02</u> <u>CFR 300.504(a)(1)(2)</u>	4 files: lacked evidence that the notice of meeting includes all the components or that parents received procedural safeguards with the notice.
<u>Ed. 1125.04 -</u> <u>Ed. 1109.04</u>	2 files: lacked evidence of evaluation and eligibility information, and notice of IEP meeting.
<u>Ed. 110901.(a)</u> <u>CFR 300.347</u>	1 file: did not include evidence of how the disability affects student involvement and progress in the general curriculum.
<u>Ed. 1109.01(l)</u> <u>CFR 300.329</u>	1 file: lacked evidence of transition of vocational plan.
<u>Ed. 1109.03</u>	1 file: lacked evidence of teacher in attendance at IEP meeting.
<u>Ed. 1109.04</u>	1 file: lacked evidence of parental input and/or participation.
<u>Ed. 1115.06</u>	3 files: lacked evidence that LRE is determined at least annually.
<u>Ed. 1123.03(a)</u> <u>CFR 300.563</u>	2 files: lacked record of disclosure.
<u>Ed. 1123.03(i)</u>	3 files: lacked evidence of written prior notice.
<u>Ed. 1130.09(a-e)</u>	1 file: lacked evidence of parent's agreement to placement. No signed IEP or other indication of parent involvement in placement.
<u>CFR 300.347(a)(5)</u>	2 files: lacked evidence of student participation in state or district-wide assessments or modifications, if necessary.
<u>CFR 300.347(a)(7)ii</u>	2 files: lacked evidence that parents are informed of progress on annual goals at least as often as non-disabled students.
<u>CFR 300.572(d)</u>	No public list of names and positions of those employees who have access to personally identifiable information on file cabinets in the central office.

ADDENDUM

JAMES O. MONITORING PROGRAM

SAU 53

Student File Review

Case Study Document

Reimbursement Claim Form

Case Study Addendum Form

<p style="text-align: center;">ADDENDUM JAMES O. MONITORING PROGRAM</p>

SAU 53

NUMBER OF FILES REVIEWED: 3

Some components were missing (listed above under out of district placement file review). Students are placed at Wediko, St. Ann's Home and Stetson. A review of reimbursement claims indicated that placement caps have been met for two of the three students.